METHOD TO CHEMICAL WINDS AND THE OWNER OF THE

He Assumes All Responsibility for the Because the Spanish Ships, as He Thought, Were Alming to Get Between the Brooklyn and the Texas As for the Texas, He Says She Was Yards Frem the Brooklyn When That Ship Turned in Front of Her, and Took Position Parallel With the Spanish Ships-After That, He Says, the Brooklyn Was Pighting Three of Cer-Ships Until the Oregon Came Up Out of the Smoke-Capt. Cook Save He Indn't Approve of the Betre grade Movement, and Congratulated When He Gave It Up-Capt. Closes His Case and the Witness for Schley Is Called.

WASHINGTON, Oct. 14 .- Capt. Francis A. Cook, who commanded the Brooklyn, Admiral Schley's flagship, in the Spanish-American War, was the star witness to-day at the Schley inquiry. He was called by the Judge Advocate, but every opportunity was given him to tell all that he knew that would help the accused officer under whom he had served. What he said was favorable to Admiral Schley in nearly all particulars, although it was not clearly developed why Capt. Cook believed the loop was a proper manœuvre or how he stood with regard to the retrograde movement toward Key West.

Capt. Cook confirmed the statement he had made to President McKinley, in the presence of the other Santiago Captains, on Jan. 2, 1900, that he had given the order to execute the loop. He frankly assumed all responsibility for it, and told the story of the Santiago battle in a graphic way, that was intensely interesting to the members of the court and all the other people who heard him. He contradicted the testimony of Rear Admiral Taylor, the Indiana's commander Lieutenant Commander Sharp, the Vixen's commander, and Capt. Dawson of the Marine Corps, the Indiana's signal officer, that the Brook lyn had gone at least a mile and a half put to sea in executing her best known managivre before turning in the direction sained that the Brooklyn had kept steadily around, not exceeding her tactical diame-ter of 650 yards. As for the Texas, Capt. look said that she was 400 yards from the Brooklyn when that ship turned in front of her, and he hadn't the slightest thought

Capt, Cook was next to the last witness called by the Judge Advocate. When Judge Advocate Lemly announced that he had concluded his case, Admiral Schley's counsel called Nunez, the negro pilot that Sohley had at Santiago, as the first witness for their client. He had just finished his testimony when the court adjourned for

The story of the "loop" was told by Capt Cook in a simple way, but it was dramatio snough for all that. He was entirely at ease in the witness chair. When he vanted to refresh his memory on any point which he had kept during the war to his testimony he had order to port the helm, thus taking the Brooklyn away from Spanish ships, because he thought the enemy was trying to get in between vessel and the Texas, but he did not explain clearly, and was not pressed to do so what was accomplished by turning that way, although he did say that if he had turned the other way, in the direction taken by the Spanish ships, it would have made ramming by the Spaniards possible if they had continued to come straight on. had not changed when he gave the order to put the helm over. At that time the enemy's ships were between 1,500 and 2,000 yards distant from the Brooklyn and aiming at the in terval between her and the Texas.

It was after he had given the order to put the helm aport, Capt, Cook said, that Schley called out "Cook, hard aport," or "Is your certain which expression was used, but he believed that Commodore Schley had simply called out to confirm himself in the idea that the ship was turning with the helm hard-ported. He had first given the order to port the helm half over, and then, disbovering that the Spanish ships were going to the westward, he put it hard aport to bring the Brooklyn around quicker to parallel their direction.

It was just as he had given this order that Schley called out. 'I gave the order on my own responsibility,' said Capt. Dook. 'No question about that. It was not until afterward that I heard the Commodore." In telling of the turn Capt. Dook said he had always thought that there brould have been a disaster if he had shifted his helm the other way.

While Capt. Cook's reasons for making the turn were not clearly set forth, the dea gathered from his explanation was that he was apprehensive that the Spanish ships would get between the Brooklyn and the rest of the American ships and thus separate them in the action. Admiral Schley's official explanation of the 'loop' was that it was necessary to prevent the Brooklyn from blanketing the fire of the other American vessels. To a question whether a turn the other way would have blanketed their fire, Capt. Cook said, "It

The testimony of Capt. Cook tended to support some of the statements made by Brooklyn's navigator, about the colloquy between Hodgson and Schley. He remembered something being said about backing the starboard engine to shorten the turn, as Hodgson had testified, but he phjected to this because it would lessen the speed of the ship. Something was said also about being rammed, but he fidn't remember who said it and paid no attention to it. Hodgson testified that it was Schley who cried, "Look out, Cook, they're going to ram you," as the Brooklyn

steamed in toward the Spanish ships. Capt. Cook evidently didn't agree with Schley about the necessity for the retrograde movement. He believed when that movement began that the Spanish fleet was in Santiago harbor. He had no ap- the prehension at any time, he said, about the Brooklyn's coal supply, and thought that the Texas could have coaled earlier than the did. The Commedere didn't consult him about going back to Key West and hadn't shows blue the coaled back to Key West and recollect, that the hawk had brought him about going back to Key West and hadn't shown him the despatch to the Navy Department saying that, owing to lack of soal and for other reasons, the Flying Squad-son was obliged to go there and couldn't shey the Department's orders to stay at Bantiago.

The first Capt. Cook knew of the retro-

CAPT. COOK ON THE STAND, mony were not favorable to Schley. He been his purpose to leave at dark, so as not to let his departure be known at Cienabout no attempt being made to communicate with insurgents at Cienfuegos to find out if the Spanish fleet was there, and that the Eagle was the only vessel that delayed the Flying Squadron in its slow progress toward Santiago. There were no specific orders for attacking the enemy if the chance

Capt. Cook also disposed of the intimation of Admiral Schley's counsel that it was suspected on the Brooklyn on July 2 that the Spanish ships were getting ready to make their sortie. He said he hadn't the slightest idea then that they would attempt to escape. One of the most important things Capt. Cook testified to was that in closing in on the Spaniards he was carrying out Sampson's instructions.

Mr. Hanna gave Capt. Cook a chance to say something complimentary of Admiral Schley and Capt. Cook took it. Mr. Hanna asked the witness what was Schley's bearing and manner in battle.

"I have always regarded him as an enthusiastically brave and patriotic officer," ead Capt. Cook.

CAPT. COOK CALLED.

*Capt. Cook CALLED.

*Capt. Cook, please, said the Judge Advocate to Capt. Carpenter of the Marine Corps, the Provost Marshal of the court. Everybody in the court room watched the commander of Sohley's flagship as he came down the long lane between the witness room and the bar of the court. Capt. Cook bowed and smiled as he passed Admiral Schley, and that officer bowed and smiled in return.

Mr. Hanna examined the witness. To preliminary questions Capt. Cook said the

smiled in return.

Mr. Hanna examined the witness. To preliminary questions Capt. Cook said the orders of the Flying Squadron in proceeding to Cuba were to intercept or meet the Spanish fleet, it having been determined at that time that the enemy would make Clenfuegos his objective point. He understood at the time that the fleet carried munitions of war, and Clenfuegos being accessible by railroad to Havana, he supposed that place to be its destination. It was his impression at the time that the enemy would be encountered in the vicinity of Clenfuegos.

Mr. Hanna went minutely into every incident of the Flying Squadron's cruise from Key West to Clenfuegos. Capt. Cook said be remembered Commander Dayton of the Cincinnati, when the Flying Squadron

said he remembered Commander Dayton of the Ciccinnati, when the Flying Squadron met that vessel, telling Commodore Schley something about coaling facilities on the south coast of Cuba. The witness said he had an indistinct recollection of meeting the Marbiehead, but did not remember any information sent by her to the Com-

any information sent by her to the Com-modore. As to Commodore Schley's state-ment that he had heard firing as the squad-ron approached Cienfuegos, which Schley said he interpreted as a welcome to the Span-ish fleet, Capt. Cook testified that he had not heard the firing, but it was talked about on the Brooklyn and that it had occurred was regarded as an accepted fact at the time.

The squadron arrived off Cienfuegos on the morning of May 22, Capt. Cook said, and the blockade was instituted immediately. He saw some cavairy on shore that day, and on that night he saw lights, but did not know what they meant. When the British steamer Adula was permitted to go into the harbor, Commodore Schley felt certain that she would come out the next day, as he had arranged, and tell whether the Spanish ships were at Cienfuegos.

whether the Spanish ships were at Clentuegos.

"Of one thing I am very certain, that the Commodore was satisfied that he had them there," said Capt. Cook.

No boat, that he remembered, was sent ashore to the place where the lights were shown to ascertain what they meant. With reference to Commodore Schley's despatch to Sampson that heavy smoke seen rising from the harbor was one of the reasons he thought Cervera was there, Capt. Cook said he saw smoke.

Mr. Hanna asked Capt. Cook with regard to Schley's statement to the Senate that heavy surf at Clenfuegos prevented him from sending boats to communicate with insurgents ashore, and the witness said

heavy surf at Clenfuegos prevented him from sending boats to communicate with insurgents ashore, and the witness said that on the first day the squadron was at Clenfuegos, May 22, the surf was heavy, but after that it was not so heavy, but the landing was bad, being rocky. Capt. Cook said he did not remember seeing the MoCalla memorandum, telling Schley that there was a good landing place for troops thirteen and a half miles west of Savanilla Point, near Clenfuegos, and giving the number of Spanish troops, the location of batteries and new earthworks, and saying that the Cubans had perfect knowledge

ing that the Cubans had perfect knowledge of what was going on in Cienfuegos. Concerning the conference between Com-modore Schley and Capt. McCalla, at which he was present, on May 24, the day the Marblehead arrived at Clenfuegos, Capt. Marbiehead arrived at Clenfuegos, Capt.
Cook said that Schley spoke of seeing three
lights ashore at night and believed it was a
signal to the Spanish fleet. "Capt. McCalla
gave a start, said the witness, "threw
up his hands and said: Why, Commodore, that is a signal from the insurgent
camp that they want to communicate with

McCalla then obtained permission to THE SUBJECT OF COAL

Continuing Capt. Cook said "The subect of coal come up again in conversation with Capt. McCalla and as to the great with Capt. McCalla and as to the great difficulty of coaling from colliers. Capt McCalla said: 'I will get coal if there is coal to be got.' He was always very cheerful about everything, and was always ready to start. In the meantime the steamer Adula came in from Jamaica and reported that the Spanish fleet had gone into Santiago and had left there on the 19th.'

Q. To return to the conversation between commodore Schley and Capt. McCalla shat was the condition of the coal at Clen what was the condition of the coal at Cien-fuegos, and what vessels were short of coal? A. In the fleet there was no anxiety, from my standpoint, except as to the Texas. Commodore Schley had always been very persistent in keeping the Brookiyn's bunkers as full as possible. I think the lowa coaled at Cienfuegos. The Texas tried to and made a great number of complaints. After a while she hauled off, not having sufficient coal. The commanding officer of the Texas was frequently on board the Brook-lyn and in frequent consultation with the yn and in frequent consultation with the

Commodore.

Q. The great anxiety about goal was in regard to the Texas? A. Yes.

Q. How was the Brooklyn off for coal?

A. I had no anxiety about it. The Brooklyn could coal from a collier better than any of the other big ships. Her projecting sides acted almost as a buffer.

Q. So that you were not anxious or apprehensive about the coal supply of the Brooklyn? A. No.

Q. Were you at any time during the Santiago campaign and previous to June 1 apprehensive about the coal supply of the Brooklyn? A. No. There were times when she might have had more.

she might have had more.

Q. Was the Marblehead a sponsoned ship?
A. Yes, she had a sponson, and was easier to coal than the Texas.

DESPATCHES PROM SAMPSON. Mr. Hanna then took up the matter of the receipt of the despatches from Sampson directing Schley to go to Santiage. Q. Did you hear a discussion with the Q. Did you hear a discussion with the commanding officer of the Hawk? A. I recollect that when the Hawk arrived and recollect that when the Hawk arrived and recoilect that when the Hawk arrived and the captain made his report, he came on deck and I asked him if there was any-thing new. He said, as nearly as I recoi-lect, that he had brought despatches of the arrival of the Spanish fleet in Santiage was not particularly struck by that state-ment, because we had beard before that the fleet was at Santiago. He afters said that the fleet was there when he

The first Capt. Cook knew of the retrograde movement was when Schley sent blin word to lay a course for Key West Strangely enough. Mr. Hanna, the Judge Advecate's assistant, who examined the witness, didn't ask him what he said to Schley when he found the squadron had turned away from Santiago, where the witness believed Corporations.

PROM CIENPUEGOS TO SANTIAGO Q. What incidents occurred during the run from Cienfuegos to Santiago? A. We had a fair run the night of the 24th. The weather gathered during the night and the next day was squally and stormy and the sea was moderate to rough. The 25th was a bad day. On the 26th the weather had moderated, but there was a long, nasty sort of sea and the ship rolled. Then the squadron, I think, slowed on account of the Eagle. She made a report that of the Eagle. She made a report that showed that she had a small margin of coal, at least I thought so then. Afterward I found that we had enough. That day there was considerable talk about coal. The Commodore said to me that if we continued at that yet of coal expenditured.

A. Yes, I think that was the time when he brought the pilot aboard Q. Do you recollect the pilot's name? A Nunez. Capt. Sigsbee said that he had been up near the entrance to the harbor of Santiago and had seen nothing of the Spanish fleet. His statement was that he had seen nothing and knew nothing and that he had been close to the entrance. I thought that the pilot was a spy, because he said that the Spanish fleet could not get into the habor without a tug, but I had satisfied myself by the chart that the fleet could get in. I afterward found out, however, that the pilot was a good and loyal man.

man.

Q Did you have any conference with Commodore Schley before starting back for Santiago? A. None whatever. I do not recall anything important after the order was given. At that time I believed that the Spanish fleet was in Santiago and had believed as since we left Cienfuegos, and Pilot Nunez's manner rather confirmed it in my mind.

said he had decided wisely or something

Q. Did you say "I congratulate you"?
A I do not recollect whether I did or not WHAT DELAYED THE WESTERLY MOVEMENT. Q. What took place to delay the westerly movement? A It was the attempts to get a line to the Merrimac, waiting for the Yale to take the Merrimac in tow. It was just a question of the collier.

On May 27, Capt. Cook said, he told Commodore Schley that the weather conditions had been so good for twenty-four hours and the sea so moderate that the vessels could coal but his

and been so good for twenty-four hours and the sea so moderate that the vessels could coal, but his impression was that before then the Commodore had given orders for the Texas and Marbiehead to coal. The Commodore's only solicitude appeared to be about the sponsons of the

Texas.

"So that when the sea became smooth on the evening of the 27th—" began Mr Hanna, but Capt. Cook interrupted him with: "Not smooth; it was becoming smooth."

"Coaling under all conditions is bad at

smooth
"Coaling under all conditions is bad at
sea, isn't it?" Mr. Hanna suggested.
"Yes," was the response. "We didn't "Yes," was the response. "We didn't know so much about it then as we do now. I don't think, though, that there was ever such a bad sea while we were down there as there was on the 25th." [The day after Commodore' Schley's idea in maintaining the Santiago blockade, the witness said, was to keep the fleet full of coal and steaming all the time at night. All his idea was that the Spanish fleet was coming out. He wanted to get the fleet to come out rather than to keep it in, and he wanted to keep the Flying Squadron moving to be ready for action. As to the circular blockade instituted by Sampson as compared with Schley's moving blockade Capt, Cook said the first did not require much coal and Schley's did.

THE BATTLE OF SANTIAGO. Mr. Hanna then took up the Brooklyn's part in the battle with Cervera.

Q. Were you on deck when the Spanish fleet came out? A. I was in the cabin.

Q. When did you first know that the Spanish fleet was coming out? A. I heard the executive officer call out "Clear the ship for action." I had given directions

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to have the ship ready for inspection. I knew at once that something had happened. and I went at once amidships.

Q. Had you had any information that the Spanish fleet was to come out that day? A. No, and I did not thinks. If turned in the night before about mixing the cling that the other way and civing the all becomes the other way.

rather the other way, and giving up all hope of the Spanish fleet coming out.

Q. When you came on deck where were the Spanish vessels? What were they doing? A. When I first arrived on the forecastle there were two in sight. The third one was just outside the entrance and the fourth appeared immediately afterward.

the squadron, I think, slowed on account of the Eagle. She made a report that showed that she had a small margin of coal, at least I thought so then. Afterward I found that we had enough. That day there was considerable talk about coal. The Commodore said to me that if we continued at that rate of coal expenditure and if he were unable to coal he would do all that was necessary to keep the ship in fighting trim. The signal of that day showed that we were getting well down in coal. The Commodore's idea was that unless we succeeded in getting coal on board ship we would have to lay a course to Gonaives.

Q. Did any other vessel except the Eagle delay the progress of the squadron? A. I do not recollect any other vessel causing any delay. There was no time in which we were not able to keep the whole fleet in touch and formation.

Q. What was the formation? A. The Brooklyn, the lowa, the Texas and the Massachusetta were in one line, and in the inner line was the Marblehead, the Vixen, the Merrimac and the Eagle.

The attention of Capt. Cook was directed by Mr. Hanna to points on a large chart, indicating where the squadron lay at certain periods of time, particularly when the retrograde movement was made.

Q. What direction was the Flying Squadron heading when approaching Santiago on May 26? A Eastward.

Q. Was it going to Santiago? A Yes. my understanding was that we were going to Santiage.

Q. Was the squadron going to Gonaiva was coming straight for this interval. I stepped out of the tower on the port side was coming straight for this parity close, say between the treatment of the mercental process of the section of the Commander-in-Chief, and that was to head in for the entrance were were going to Santiago? A Wes.

When I saw the feourth appeared immediately afterward.

Q. Was the extrance to coult was about northeast by north. The four the fleet came out south and turned as they left the entrance to the west was about northeast by north. The first got on deck the weet the were the sum that dim the interval bet

When I saw that, I ported the helm, perhaps half way over. She was swinging starboard very rapidly. The Spanish fleet was coming straight for this interval. I stepped out of the tower on the port side to get a good look at this fleet, to see just what they were gains to do we to our sale. what they were going to do as to our rela-tive positions, and I saw they evidently put heims hard aport and were turning to the westward. We were then turning very suited by Commodore Schley about the retrograde movement.

Q. How did you first learn of the retrograde movement? A. My impression was that I was sent word by the Commodore to lay the course for Key West. That word was brought to me in my cabin.

Q. Why didn't you get farther west on the 26th? A. That was the night we took the Marrimae in tow and repairs were being made to her. She had some trouble—the parting of the towing cable.

Q. So that short run was due to repairs to the Merrimae? A. Yes, she was helpless; machinists from the Brooklyn were put on board of her and they made the repairs.

THE HARVARD ERCUGHT NO NEWS OF CEEVERA.

Coming to the arrival of the Harvard on May 27, Capt. Cook was asked:

Q. Do you know whether she brought despatches? A. I think not.

Q. Were you present at any conference between the Captain of the Harvard and paralleled the fleeton the other side.

J. The trans was well on our starboard with port helm, and the east the east the least the commod of the text was a well on our starboard side. I then gave the order, "Hard aport," to the belmsman, ran through the conning tower to the other side on purpose to see our own to the other side. I then gave the order, "H

despatches? A. I think not.

Q. Were you present at any conference between the Captain of the Harvard and Commodore Schley? A. Yes.

Q. Do you know what they were talking about? A. More particularly I think of the whereabouts of the Spanish fleet.

Q. What was said about its whereabouts? A. That he had no information to impart. Q. Do you recollect a conversation between capt. Sigsbee and Commodore Schley? A. Yes, I think that was the time when he brought the pilot aboard

Q. Do you recollect a conversation between the capt. Sigsbee and Commodore Schley? A. Yes, I think that was the time when he brought the pilot aboard

Q. Do you recollect a conversation between the capt. Sigsbee and Commodore Schley? A. Yes, I think that was the time when he brought the pilot aboard. Admiral Dewey—May I interrupt? How near did you pass to the Texas? A. I never thought of a collision. It never entered my head. I never for a moment had one idea in that respect. We passed, I judge, about four hundred yards. I had handled the ship under all circumstances and got so I could judge pretty correctly and my impression was that we were about the distance we sailed in squadron. But a collision I never thought of. She turned perfectly clear of the Texas, came around and then we had the Viscaya on our starboard bow and about alseam was the Oquendo and then the Colon. At the time I thought it was the Teresa, but I soon discovered that this vessel was dropping out and heading for the beach. That was about the hottest time of the action. was about the hottest time of the action. It was a critical time. There was not any time for indecision, and I do not think there was any. I have always felt in my mind, in studying the positions, that the chances would have been for a disaster had we shifted heim at such a time. However, we got around and we had those there was given. At that time I believed that the Spanish fleet was in Santiago and had believed so since we left Cienfuegos, and Pilot Nunez's manner rather confirmed it in my mind.

Q What, if anything, did you say to the Commodore after you started for Santiago? A We had a little talk. I think I said he had decided wisely or savesthing. and through this smoke I saw the bow of a vessel. I exclaimed at the time, "What was that?" The navigator, who was near was that? The havigator, who was hear me, said it was the Massachusetts, or something to that effect. I said she was away, and he then said, "hat is the Oregon." I felt perfectly assured from that moment. She came up very rapidly. She was making more speed than we were at that time, the head all hear health was the sheat of the said. boilers that morning from forward to aft She had steam and hot water on.

THE POSITION OF THE OREGON Q Where was the Oregon with respect to the Brooklyn at that time? A. I esti-mated 600 yards. She passed in between the Texas and the lows. She got in between that opening, came to the northward of the Texas and came out about 800 vards from us. I mean a perpendicular course and that would account for just what we made to the southward in turning. We made more than the tactical diameter be cause we passed part of the distance with

heim half a-port.
Q. What is the tactical diameter of the Brocklyn? A. About 650 yards.
Q. Was it easy to hadle the ship under such circumstances? A. I never have seen one equal to her in that respect.
Q. Was the starboard engine of the Brooklyn reversed during that turn? A. It was not. There was some question about that. The reason I feel positive of that is in recalling the circumstance. My impression helm half a-port realing the circumstance. My impression is, it may have been the Commodore or the navigator, one of the two, said something about backing the starboard engine. My reply, I remember very well, was I did not want to lose the speed of the ship, that she was turning all right and rapidly and I wanted to keen the speed of the ship. wanted to keep the speed of the ship. Q. At the time you saw the Oregon com-ing up out of the smoke was she on your starboard? A. Starboard quarter

Q And between you and the Spanish ships? A Never between us and the Spanish ships.

Q Where were the Spanish ships at that time? A There never was anything between us and the Spanish ships. She was on our starboard quarter. on our starboard quarter.
Q. Nearer inshore? A. Yes

CAPT. COOR SAYS HE GAVE ORDER "HARD APORT

APORT."

Q. Referring back now to certain points in the story, as I did not care to interrupt you, you state you heard the Commodore say at one time "Hard aport." That was after you had begun to make the turn and the helm was hard aport? A. Yes, the helm was aport, but not hard aport, my impression is now, although it was not at the time. It was about as near the same time as has been given. There was a perfect understanding between the Commodore and myself. Never a question of any kind during the action.

Q. I will ask if your recollection is clear as to whether the helm was put hard aport by yourself first or that you did it in obedience to an order from the Commodore. A. I gave the order on my own responsibility. No question about that. It was not after having heard the Commodore. He called baying heard the Commodore. He could be me as I have stated, which I think was simply to confirm himsel Q At that time did you hear any con versation between the Commodore and the navigator? A. I did not.

Did you see any torpedo boats? A Of the time the turn was being rammed the time the turn was being made? A No, there was something said about it, but I did not give it a second thought from the fact that I knew they could not rain the fact that I knew they could not ram-the fact that I knew they could not ram-taless they got within my turning circle. Q. Were you afraid of blanketing the fire of our fleet by turning one way or the other? A. We might have done it by

turning the other way.

Q What would have happened if the What would have happened if the Brooklyn had made a turn to starteard A. I know that what we did do was successful. I cannot say whether what we did not do social have been successful or not. Admired Descey. Thus is right, we do not Q. What was the order of battle by the commander of the Flying Squadron during the campaign from May 19 to June 1? A. There were no battle orders. The fleet was always in condition for action. The only battle orders we had was our position in form.

only hatte criterions did you have if the in form.

Q. What instructions did you have if the Spanish fleet came out from Cienfuegos?

A. To obey the orders of the flag officer.

Q. Were the ships of the Flying Squadron in condition? A. They were always presumed to be in excellent condition. The Brooklyn always was.

Brooklyn always was.

Q. The fighting ships were always in good condition so far as you know? A.

Q Had you turned with a starboard Q Had you turned with a starboard instead of a port helm would such action have advanced you so far as to bring you within the line of movement of the enemy's ships? A Provided they had taken advantage of it; that is to say, if they had continued on their course southwest, straight for us, and we had turned so as to bring them within our turning circle it would have made ramming possible, certainly

made ramming possible, certainly.

Q. How were they heading when this order hard aport was given? A. They were heading southwest. The chart distance given at the time was 1,100 yards. I estimated 1,500, and so made it in my report. In the first place we must have lost by shifting helm at such a time. Then, if we had turned the other way we must have gone 700 yards. They would not have had much distance to run to get entirely within our turning circle. That is all con Q. What was the conduct and bearing of

Commodore Schley while under fire on such occasions that you had the oppor-tunity of observing? A. I always regarded him as an enthusiastically brave and patri-otic officer. Never in any other way. NEVER HEARD A WORD OF THE HODGSO!

It was I o'clock when the examination of Capt. Cook had proceeded this far and every seat was taken and a great many

people were standing. A large crowd of pupils from a school for girls attended the afternoon session. When the court reconvened, Mr. Hanna resumed his exreconversed, Mr. Hanna resumed his examination of Capt. Cook.

Q. Could you at the time the Brooklyn's turn was made have seen that the engines of the Texas were reversed? A. Yes, I think I ought to have seen it.

Q. Did you see it? A. I did not.
Q. Now, Captain, let me ask you about the Hodgson colloquy. You say you did not hear that conversation? A. Not a word of it.

ber of times.

Q State what you then or subsequently said to him on the subject of the turn. A. The only time I had any conversation with him about that was at Newport this summer, when he came to me and asked if I recalled him saying, "Do you see the Texas?" I told him I did. He said that entirely reassured him and he walked away.

Q Did you have any conversation with

reassured him and he walked away.

Q. Did you have any conversation with him in the action in regard to being rammed or about torpedo boats? A. No.

Q Did you say anything that could have led the navigator to think you said.

"Damn the Texas?" A. Oh, no [laughing],
I had every reason to bless her.

THE CHANGES IN THE BROOKLYN'S LOG.

Concerning the changes or additions to the log of the Brooklyn explaining the loop, which were made two days after the battle. Capt. Cook said that he sometimes had time to look at the log on the day it was written and sometimes he had not. "I don't think I looked at the log until three or four days after the battle," he said He recalled that Mr. Hodgson came to him after the battle and said he wanted to change the log so as to show that the turn had been made. Capt. Cook told him to make it in the form of an addendum, but not to change the log as written. This was done and the witness signed it.

To another question he said that he was satisfied he was not present in Commodore Schley's cabin on July 5 when Lieutenant-Commander Sharp of the Vixen had Concerning the changes or additions to be log of the Brooklyn explaining the

tenant-Commander Sharp of the Vixen had the talk with Lieutenant-Commander Hodg-

the talk with Lieutenant-Commander Hodg-son about the loop.

Mr. Hanna asked the Court's permission to read a letter, apparently written to Admiral Evans by Capt. Cook. This was the letter which Admiral Evans wanted to read when on the stand after Admiral Schley's counsel had asked him if he had said to Schley on the day after the battle that he (Evans) had knocked the bow off one of the Signish destroyers, the stern one of the Spanish destroyers, the stern off the other and had knocked out two of the Spanish armorelads. Objection to

Admiral Dowey asked if this letter came in under the specifications, and Capt. Lemly answered "Not specially."
"Then it had not better be read," said Admiral Dewey.
Capt. Cook expressed the hope that the

letter would be read, as there appeared to be an issue between Capt. Evans and himself and be wanted to show that there was not, but Admiral Dewey thought otherwise.

"Admiral Evans is not on trial and Capt.
Cook is not on trial," he said, "and I think it should not be read."

"We have no further questions to sak

"We have no further questions to ask
the witness," said Capt. Lemiv.
"If the Court please. I have no questions to ask the witness at all, but would
like to call him later to ask a few questions
in examination in-chief," said Mr. Rayner.
Capt. Lemly assented to this and Capt.
Cook was about to leave the stand when
the members of the court handed a number of written questions to the Judge Advocate to ask the witness. These questions,
with Capt. Cook's answers, follow with Capt. Cook's answers, follow

QUESTIONS TO CAPT. COOK BY THE COURT. Q. How did you become aware of the order on which the Flying Squadron salled for Cienfuegos on May 19? A. From conversation with Commodore Schley.

Q. What general orders were issued by Commodore Schley regarding the blockade at Cienfuegos? A. I cannot recall that there were any written orders. I understood

there were any written orders. I understood that they were given in a general way, in conversation with the Captains.

Q. Was any effort made by boats of the

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ten miles off Santiago There was to materini differences between the night and the day distances. In the attack on the color on May 31 the original range given was 1 to varide but the chots all fell short. The range was increased and on the second ran paint the harbor it was increased to 11,000 yards. It took the attacking ships only two and a half or three minutes to passible harbor entrance each time. Both Spanish butteries fixed on the slope There was one or possibly two modern guns on EAT FORCE

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to Santiago? A. None that I can recall
Q. What reason did Commodore Schley
give you for his belief that Cervera's squad-

that the signal light was a ruse to get some

Q What ships would have had their fire blanketed if the Brooklyn had turned with a starboard helm? A. It is possible

he Texas and possibly of the Oregon, will say that this is an after-thought, it the time I had no such consideration, never considered anything but turning

that ship to starboard.

Q. What orders were given by Commodore Schley to the ships of the Flying Squadron for their guidance in the event, first, of Cervera's squadron attempting to leave the harbor of Cenfuegos; second, in the event of being sighted at sea, and third, to the event of coming out of their

third, in the event of coming out of the harbor of Santiago. A. I received no written orders to cover those cases, but in consultation with commanding officers

it was understood that our ships should be in column and ready to strike the enemy's ships whenever we found them.

Q Did any vessels take coal at Clenfueges prior to the time that Commodore Schley discussed the question of coaling with Commander McCalla? A. I do not know;

I think not.

Q At what distance from the entrance to Clenfuegos did the large ships lie, when blockading by day and by night? A. From four to six miles from shore in the day.

Q Does the chart show that there is an

can be protected while coaling? A. My impression is that it does not

impression is that if does not Q. Do you know why the squadron headed for a point twenty or thirty miles from the entrance of Santiago harbor? A. Because as I understood it at the time, if the weather conditions were such as we could not coal at Santiago we should con-tions to Gonniyes Bay.

could not coal at Santiago we should continue to Gonaives Bay
Q Were you ordered by Commodore
Schley to shape the course of the squadron
for Santiago on May 24? A. Yes
Q Did you hear any conversation between Commodore Schley and the commanding officer of the Harvard off Santiago?
A. I remember being present some of the
time, but I cannot recall any specific conversation.

versation. Q Was the Brooklyn using full power during the fight of July 3? A. No. she did not have full power until the end of the action. Just before the Colon ran on shore

Q Why not? A The order required us

to keep steam up and we kept enough for nine knots with the engines uncoupled. In the Brooklyn we could use only just so much steam in the after engine. With-

In the Brooklyn we could use only just so much steam in the after engine. Without coupling up the engines we could not use all the steam we could raise. In the early part of the action we had steam enough for twelve knots, and we kept getting up steam until we had all we could use in the two engines. We continued to get up steam with the idea that, if the tolon attenuated to pass us, we could couple our

LIEUTENANT-COMMANDER FULLAM TESTI-

Lieutenant-Commander William F Ful

aric paw of the Lauraster, who want the New tricains in the Spanish war ollowed and repeated the amiliar story of the blockade at Sat-

tage and the attack on the Colon I and that in maintaining the blockade of distance of the slope ranged from six ten miles off Santiago. There was a

PIES

that ship to starboard.

might have blanketed the fire of

Flying Squadron toffind a landing place near Clenfuegos prior to the arrival of the Marbie-head? A. None that I know of.

Q. Did any conversation take place between you and Commodore Schley in regard to obtaining information from Commander McCalla when the Marblehead passed the Brooklyn while the Brooklyn was en route

of Lieut. Bristol of the Texas that the stadimeter was not a reliable instrument for measuring long distances. It was not reliable, in his opinion, beyond 2,000 yards. This question was asked by the Court: Q. What means were used on board the New Orleans to obtain the distances from the Colon? A. I. don't know. I. think no other means than noting the fall of the shots, but I'm not prepared to answer that.

Admiral Schley's coursel did not ask.

Admiral Schler's counsel did not ask LAST OF THE JUDGE ADVOCATE'S WITNESSES.

give you for his belief that Cervera's squadron was in Clenfuegos? A. In the first place,
on leaving Key West he was quite enthusiastic at having been given the command
of the south side of Cuba, and he said that
he expected to catch the Spanish fleet.
Both he and Admiral Sampson believed
then that the Spanish fleet was at Clenfuegos. There was a report that the sound
of a salute had been heard off Clenfuegos,
and he believed that they were having a
jubilee over the arrival of the Spanish fleet.
When we arrived off Clenfuegos there was
a signal light, and Commodore Schley suggested that it was a signal that the Spanish
fleet was coming, or was there. I believed Mr. Joseph Beale of Washington, who erved on the Harvard in the Spanish war as a Volunteer Lieutenant, was the of the Judge Advocate's witnesses. of the Judge Advocate's witnesses. He said he was a graduate o the Naval Academy and had been in the navy from 1874 to 1895, when he resigned. Mr. Beale is the officer who put in cipher the despatch from Commodore Schley to the Navy Department saying that the Department's instructions to stay at Santiago could not be obeyed. It had been shown previously that this cipher despatch as received at the Navy Cipher despatch as received at the Navy It had been shown previously that this cipher despatch as received at the Navy Department was verbally different, but not different in meaning from the original, except in one particular, a sentence not in the original having been contained in the cipher. Mr. Beale explained that the "Can't obey" despatch from Admiral Schley had been given to him typewritten in English on the Harvard Q. What orders were given by Commodore Schley, whether by signal or otherwise, during the battle of July 3? A. A good number of signals were made, but I only recollect a few of them. The first signal made was to close in, and afterward other signals were given. The log book will show them. I did not pay any attention to signals during the action, except those that affected me.

Q. Did the Spanish ships head westward and southwest, before the Brooklyn made the turn with a port helm? A. They did not.

at Kingston, Jamaica.

Mr. Beale said that in translating English phrases into the naval cipher it was impossible always to find cipher symbols or even words expressing the exact meaning of the English sentences. In such cases he used the cipher expressions that fitted the English expressions that Q. Was the helm of the Brooklyn steadied or eased at any time during the turn? A. Not until she was around parallel with the fitted the English expressions as nearly as possible. Sometimes words not in the code book were found in an English despatch to be put into cipher; for example, the word "boisterous." referring to the weather in Commodore Schley's English message, had no cipher equivalent, and he had used the word "bad" instead. As to the use of "10,000," his translation, instead of "9,500 tous." (which Schley asked to be delivered to be delivered. 10,000, his translation, instead of "9,000 tons" (which Schley asked to be delivered at Key West), as it was in the original, Mr. Beale explained that he made it 10,000 to save time and work, there being a single cipher word for the latter numerals and a combination of cipher words for 9,500, knowing that it would be all right to go outside the number of tons required. In the same way he had said that the Eagle had only twenty-five tons of coal, when tons, because twenty-five could be ex-pressed by one cipher word and it took a combination of symbols to express twentycombination of symbols to express twenty-seven, and two tons was too small an amount to make any difference in that statement. In the statement that the Harvard would go to Port Royal he had changed it to "Kingsten," as "Port Royal" had no equiv-alent in the cipher book, and knowing it was the naval station, for Kingston was only two or three miles away, and as he only two or three miles away, and as he knew that the Harvard was going to Kings-ton, he had used the cupher word for the

add the additional sentence, "Very difficult to tow collier, to get cable to hold." Mr. Beale said that the copy of the message given to him to put into cipher did not contain this sentence, but examining his book of notes kept on the Harvard he found a sentence in them reading. "Add, Very difficult to tow collier: cannot get cable to hold," and from this he inferred that after receiving the typesyritten pressage. receiving the typewritten message, an addition to it had been given to him on a

Separate piece of paper.

The message as put into cipher by Mr.

Beale is the one that Mr. Rayner declared. was "marked by a dozen grave errors," and be charged that the sense of the original had been changed, claiming also that the differences had an important bearing on Admiral Schlev's defence. He laid stress par-ticularly on the difference between "It is to be regretted that the Department's orders caused to be regretted that the Department's orders caused to be regretted cannot obey orders of the Department, "as Mr. Beale rendered it in the cipher symbols nearest in meaning to the original, Mr. Rayner contended that there was a great difference in the meaning of these two sentences. Just to

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